

June 21, 2012

76-year-old south Texas woman arrested for arranging sham marriages

MCALLEN, Texas — An Edinburg, Texas, woman was charged Thursday with conspiracy to commit marriage fraud, announced U.S. Attorney Kenneth Magidson, Southern District of Texas. The investigation was conducted by U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI), with the assistance of U.S. Citizenship and Immigration Services (USCIS).

Santos Botello, 76, was arrested June 20 and appeared before U.S. Magistrate Judge Dorina Ramos June 21 to face formal charges related to marriage fraud. Judge Ramos has set her bond hearing for June 22.

According to court documents, Botello was allegedly arranging sham marriages between foreign nationals and U.S. citizens for profit since 2002. Foreign nationals allegedly hired Botello to help them obtain residency status in the United States by arranging sham marriages with U.S. citizens.

The complaint goes on to state that Botello committed marriage fraud by arranging marriages between couples when they did not intend to establish a life together and were only seeking immigration benefits. Botello paid U.S. citizens to participate in the sham marriages, according to the complaint. She allegedly completed immigration paperwork and instructed them on how to present themselves to immigration officers. Botello told them to get a common law marriage certificate, and take pictures together; and she instructed couples how to answer questions at their immigration interview, the complaint states.

By filing a petition with USCIS, U.S. citizens may seek residency for an alien relative. These petitions are legal and permit a U.S. citizen to bring his or her close relative, such as a spouse, to the United States. Marriage fraud occurs when this petition for residency is filed, but the bride and groom do not intend to establish a life together at the time they are married.

The charge of marriage fraud carries a penalty of up to five years in prison, a maximum \$250,000 fine and up to a three-year-term of supervised release.

Assistant U.S. Attorneys Kristen Rees and Kimberly Leo, Southern District of Texas, are prosecuting the case.

A criminal complaint is merely an accusation of criminal conduct, not evidence. A defendant is presumed innocent unless and until convicted through due process of law.

<http://www.ice.gov/news/releases/1206/120621mcallen.htm>